finding, from the evidence in the case, that the plaintiff had lost his German nationality for all purposes, the decision that he was "stateless" in English law seems to have been fully warranted by the logic of the situation. The dictum that "statelessness" is recognized in the law of nations will be generally approved.

MASTER AND SERVANT—MASTER'S DUTY TO PROVIDE SAFE INSTRUMENTALITIES—DEFECTIVE MOTOR CAR SUPPLIED FOR USE OF SERVANT.—The plaintiff, an employe of the defendant, was given an automobile for use in his master's business. The starting mechanism of the car was defective. Plaintiff complained, but nothing was done. Plaintiff remained in the defendant's employment and continued to use the automobile. While attempting to crank the car the plaintiff was injured. It was contended that he had assumed the risk. *Held,* that plaintiff had not necessarily assumed the risk by remaining in the defendant's employment after learning of the defect. It was a question for the jury. *Baker* v. *James Brothers & Sons,* [1921], 2 K. B. 694.

The early English rule held that a servant who continued to work after knowledge of the risk lost his right to sue for resulting injury. *Griffiths* v. *London & St. Katharine Docks Co.,* (1884), 13 Q. B. 259. The modern English rule holds that knowledge of the risk does not necessarily require, as a conclusion of law, that the servant assumes the risk, but it is a question for the jury. *Smith* v. *Baker,* (1891), L. R., 16 App. Cases 325; *Baker* v. *James Brothers & Sons, supra.* The majority of American courts follow the early English rule. *Lamson* v. *American Axe Co.,* (1900), 177 Mass. 144; *Kansas City, M. & O. Ry. Co.* v. *Loosley,* (1907), 76 Kan. 103; *Santiago* v. *Walsh Stevedore Co.,* (1912), 137 N. Y. Supp. 611. The North Carolina court, however, follows the present English doctrine. *Lloyd* v. *Hanes & Co.,* (1900), 126 N. C. 359. Professor Bohlen states this to be the only court following *Smith* v. *Baker* in America. See 20 HARV. L. REV. 110. The modern English doctrine of treating the question as one of fact for the jury appeals more to one's sense of justice.

MUNICIPAL CORPORATIONS—ORDINANCES—QUESTIONING VALIDITY BY MANDAMUS.—A city ordinance provided that no one should carry on the business of selling jewelry within the city unless he first obtain a license from the mayor. No rules or directions were laid down for the guidance of the mayor, except that he should require a certain bond of the applicant. Plaintiff applied for such license, which was refused. He then applied for mandamus to compel the issuance of the license, and also denied the validity of the ordinance. *Held,* two justices dissenting, the question of constitutionality was not before the court, and the ordinance gives the mayor full discretion to grant or not to grant such license; hence, a writ of mandamus should not be granted. *Samuels* v. *Couzens,* (Mich., 1921), 183 N. W. 925.

The ordinance attempts the regulation of a business which may be carried on as a matter of right, and which the city could not entirely prohibit. As interpreted by the court, it gives the mayor full discretion to grant or